

Filing a Petition under the “Orphan” Process

(i) If the child is identified or already adopted:

You can have USCIS review both your suitability as an adoptive parent and the child's status as an orphan at the same time. If you have already identified a child you want to adopt (or you have already adopted the child), you may file **Form I-600, Petition to Classify an Orphan as an Immediate Relative**. (<http://www.uscis.gov/i-600>)

You must also submit a home study with your Form I-600 and any other relevant evidence that you are suitable as an adoptive parent. You should also submit evidence that the child is an orphan and that you have adopted or intend to adopt the child.

(ii) If a child has **NOT** been identified:

You may also begin the orphan process before you identify a particular child for adoption. You do so by filing **Form I-600A, Application for Advance Processing of Orphan Petition**. You should submit your home study with the Form I-600A. If USCIS approves your Form I-600A, the finding that you are suitable as an adoptive parent will make it unnecessary to address this issue again when you file a Form I-600 for a particular child. Once a particular child has been identified, you would then file a Form I-600 for that child.

If you do not file Form I-600A, then you must complete all requirements of the I-600A when filing Form I-600. (<http://www.uscis.gov/i-600a>)



Home Study: Establishing Proper Parental Care

To establish your ability to provide proper parental care, you must submit a home study completed by someone authorized to complete an adoption home study in your home State (or anywhere in the United States, if you adopt the child while residing abroad). <http://www.uscis.gov/adoption/home-study-information>

Overseas Investigation

As part of the processing of your case, USCIS (or, in some cases, the Department of State) will conduct an investigation overseas to verify that the child is an orphan. The purpose of the investigation is to:

- Confirm that the child is an orphan as defined in the U.S. immigration law
- Verify that you have obtained a valid adoption or grant of custody
- The child does not have an illness or disability that is not described in the orphan petition
- Determine whether the child has any special needs that were not fully addressed in your home study
- Determine whether there are any facts showing that the child does not qualify for immigration as your adopted child

You may visit: http://adoption.state.gov/adoption_process.php for detailed instructions on the adoption process.



U.S. Embassy Georgetown
Guyana

Adoption Process

HOW TO ADOPT



Immigration Through Adoption

An adopted child who will reside in the United States must obtain an immigrant visa before he or she can enter the United States.

Which Process is For You?

There are two processes for adopting a child from Guyana. The **Immediate Relative Process** and the **Orphan Process**.

Immediate Relative Process

Under this process, an adopted child is considered, for immigration purposes, to be the child (or adult son or daughter) of the adopting parent **if**:

- The parent adopted the child before his or her **16th** birthday (or under the age of 18, if he or she is the sibling of a child adopted under 16 by the same parent (s) **AND**
- The parent had legal and physical custody of the child for at least **two** years while the child was a minor

Who Can Petition Under this Process?

- A U.S. citizen
- A permanent resident (green card holder)

To begin this process, file **Form I-130, Petition for Alien Relative** with USCIS.
(<http://www.uscis.gov/forms>)



Orphan Process

You can bring an adopted child to the United States through the **Orphan Process** if:

1. You are a U.S. citizen.
 - a. If you **are** married, you and your spouse must sign **Form I-600, Petition to Classify Orphan as an Immediate Relative**.
 - b. If you are **not** married, you must be at least **25** years old when you file your **Form I-600 Petition**
2. You establish that you will provide proper parental care to the child.
3. You establish that the child whom you have adopted or plan to adopt is an "**orphan**" as defined in U.S. immigration law
4. You establish that either:

You (and your spouse, if married) have adopted the child in **Guyana**, and that each of you saw the child in person before or during the adoption proceeding

OR

You will adopt the child in the United States after the child arrives in the United States. You must have permission to bring the child out of **Guyana** and to the United States for adoption. This permission must be granted by the Supreme Court of Guyana.

Who is an Orphan?

Under U.S. immigration law, an orphan is a foreign-born child who:

- (a) does not have any parents because of the death or disappearance of both parents, abandonment or desertion by both parents, or separation or loss from both parents

OR

- (b) has a sole or surviving parent who is unable to care for the child, consistent with the local standards of the child's home country, and who has, in writing, irrevocably released the child for emigration and adoption.

You must file an orphan petition before the child's **16th birthday** or before the child's **18th birthday** if the child is a birth sibling of another child whom you have also adopted and who immigrated (or will immigrate) as:

- an orphan based on a Form I-600 petition filed before the sibling's **16th birthday**

OR

- an "adopted child" under the **immediate relative process** provided the actual adoption took place before that sibling's **16th birthday**.

